## IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEBRASKA

)
) ) 4:10CR3015
)
) TENTATIVE FINDINGS ON REVISED
) PRESENTENCE INVESTIGATION ) REPORT

No objections have been made to the Revised Presentence Investigation Report. The court tentatively finds, therefore, that the Revised Presentence Investigation Report, received by the court June 14, 2010, is true and accurate. Objections may be made to these tentative findings, but no evidence shall be received at the hearing.

The defendant has moved for a variance from the low end of the advisory guideline range. He does not anticipate any oral testimony, except to rebut evidence presented by the government, but the government has by its Statement of Position said that it does not anticipate producing any evidence other than possibly rebutting any evidence offered by the defendant. Since neither plans evidence, there will be no evidence received. At the hearing oral arguments may be made on the motion of the defendant for a variance.

Dated June 22, 2010.

BY THE COURT

s/ Warren K. Urbom United States Senior District Judge